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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA**

In re:	)	
	)	
Baltimore Gas and Electric Company	)	
	)	
v.	)	Case No. 3:08cv847
	)	(Appeal from Bankruptcy Court)
Circuit City Stores, Inc. et al.	)	

**STIPULATION OF DISMISSAL**

WHEREAS, on December 4, 2008, Appellant Baltimore Gas and Electric Company (hereinafter "BGE") filed a notice of appeal of the Order Under Bankruptcy Code Sections 105, 363 and 366 and Bankruptcy Rule 6003 (Docket No. 117); and

WHEREAS, the issues on appeal have been resolved by agreements between BGE and the Appellees, and pursuant to those agreements, the BGE has agreed to dismiss the appeal.

NOW THEREFORE, the parties hereby stipulate, by and through undersigned counsel, that the appeal shall be dismissed, with each party to bear its own costs and attorney fees.

Date: February 6, 2009

/s/Kevin R. McCarthy  
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IT IS SO ORDERED this 9<sup>th</sup> day of February, 2009.

/s/  
James R. Spencer  
Chief United States District Judge